

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**KENNETH D. BELL, in his capacity  
As Court-Appointed Receiver for Rex  
Venture Group, LLC d/b/a ZeekRewards.com  
Plaintiff,**

**vs.**

**CIVIL NO. 3:14-CV-91**

**TODD DISNER, in his individual capacity  
And in his capacity as trustee for Kestrel  
Spendthrift Trust; TRUDY GILMOND;  
TRUDY GILMOND, LLC; JERRY NAPIER;  
DARREN MILLER; RHONDA GATES;  
DAVID SORRELLS; INNOVATION  
MARKETING, LLC; AARON ANDREWS;  
SHARA ANDREWS; GLOBAL INTERNET  
FORMULA, INC.; T. LEMONT SILVER;  
KAREN SILVER; MICHAEL  
VAN LEEUWEN; DURANT  
BROCKETT; DAVID KETTNER; MARY  
KETTNER; P.A.W.S. CAPITAL  
MANAGEMENT, LLC; LORI JEAN WEBER;  
and a Defendant Class of Net Winners in  
ZEEKREWARDS.COM  
Defendants.**

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**MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANTS GLOBAL INTERNET  
FORMULA, INC., T. LEMONT SILVER AND KAREN SILVER**

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Pursuant to Local Rule 83.1(F), Bruce M. Simpson and the law firm of James, McElroy & Diehl, P.A., move to withdraw as attorneys of record for GLOBAL INTERNET FORMULA, INC., T. LEMONT SILVER and KAREN SILVER. Good cause exists for the granting of this Motion. In support of this Motion, movants show the Court the following:

1. On June 27, 2014, James Jonas (“Jonas”), an attorney in San Antonio, Texas, contacted movants seeking local counsel to assist Jonas in representing Defendants T. Lemont Silver, Karen Silver and Global Internet Formula, Inc. (“Global”) related to this action. Jonas planned to serve as lead counsel for Mr. and Mrs. Silver and Global. On that date, movants agreed to serve as local counsel with Jonas to serve as lead counsel and be “responsible for all the heavy lifting”, and Mr. and Mrs. Silver and Global agreed to promptly provide the movants an initial retainer of \$5,000, and to regularly pay movants’ bills for related expenses and legal fees at movants’ normal hourly rates (with the retainer to be available to apply toward such legal fees and expenses).

2. Based on the agreement between movants and Mr. and Mrs. Silver and Global, movants began to provide services and incur expenses related to movants’ role as local counsel. However, the initial retainer was never paid despite repeated promises, and movants’ bills to Mr. and Mrs. Silver and Global for legal expenses and fees have never been paid. The total amount now substantially past due to movants now exceeds \$5,000. Mr. and Mrs. Silver and Global have failed to pay any of the legal fees and expenses of movants related to this matter.

3. Further, Mr. and Mrs. Silver have been generally unavailable to movants since movants began this representation. Movants only real contact has been with Jonas, who has been unable to cause Mr. and Mrs. Silver and Global to pay amounts owed to movants. In addition, at several critical junctures related to the representation, Jonas has reported that needed activity or responses related to the lawsuit could not proceed because he was unable to obtain needed payment, cooperation and information from Mr. and Mrs. Silver and Global. Under the circumstances, movants cannot reasonably represent Mr. and Mrs. Silver and Global further with respect to the lawsuit.

4. Movants have inquired as to whether Mr. and Mrs. Silver and Global would consent to movants' withdrawal as local counsel, but there has been no response.

5. Movants' only contact information for Mr. and Mrs. Silver and Global is via Jonas as follows:

T. Lemont Silver, Karen Silver and Global Internet Formula, Inc.  
c/o W. James Jonas, III  
300 East Basse Road, Suite 1023  
San Antonio, Texas 78209  
[Jonas@wjamesjonas.com](mailto:Jonas@wjamesjonas.com)  
Phone: 512/750-7455  
Fax: 512/532-7277

WHEREFORE, Bruce M. Simpson and the law firm of James, McElroy & Diehl, P.A., request the Court to allow their withdrawal as counsel for T. Lemont Silver, Karen Silver and Global Internet Formula, Inc. in this action.

Respectfully submitted this 3<sup>rd</sup> day of March 2015.

Respectfully submitted,

JAMES, MCELROY & DIEHL, P.A.

s/ Bruce M. Simpson

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### CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2015, I served the attached document on the parties' counsel of record as shown below via Electronic Notice through the Court's ECF System:

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And I hereby certify that I have mailed the document to the following non CM/EDF participants:

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*s/ Bruce M. Simpson*

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